

Yolo Superior Court Misdemeanor Sentencing Guidelines (Offense Date: 3/1/2007)

Section	Description	Fine + PA +CSF(\$20)	NTA \$10	REC \$10	1202. 4 PC	Total	Other penalties
Business & Professions							
4140	Possession of needle	\$780	\$10		\$110	\$900	1 yr Sum Prob w/ search, test (for second offense, HIV education & offer HIV test)
25658	Sell to minor (non suspendable)	\$3,820	\$10		\$110	\$3,940	1 yr Sum Prob & min.24 hours comm.Service; 2d offense + 1 yr CDL suspension or delay if under 21
25661	False ID (non suspendable)	\$970	\$10		\$110	\$1,090	non suspendable +/or 24-32 hrs comm serv + 1 yr CDL suspension w/immediate surrender or delay if under 21
25662	Minor in Possession -- 1st offense	\$210	\$10		\$110	\$330	24 to 32 hrs comm serv (optional) + 1 yr CDL suspension w/immediate surrender or delay if under 21
25662	Minor in Possession -- 2nd or subsequent offense	\$400	\$10		\$110	\$520	36 to 48 hrs comm serv (optional) + 1 yr CDL suspension w/immediate surrender or delay if under 21
Harbor & Navigation							
655(a)	Use Watercraft Reckless manner	\$970	\$10		\$110	\$1,090	1 yr Summary Probation
655(b)	DUI: Watercraft	\$2,490	\$10		\$110	\$2,610	1 yr Sum Prob + 12 hr AEC
655(c)	DUI: .08 Watercraft	\$2,490	\$10		\$110	\$2,610	1 yr Sum Prob + 12 hr AEC
655(d)	Wet Reckless: Watercraft	\$924	\$10		\$110	\$1,044	1 yr Sum Prob + 12 hr AEC
Health & Safety							
11357(b)	Possession of Marijuana < 1oz	\$400	\$10		\$110	\$520	1st offense: \$520 ; 2d offense: \$520 + 1 yr Sum Prob w/search, test + revocation of CDL if vehicle involved; 1 yr CDL susp w/ immediate surr or delay if under 21 (May be Prop 36 eligible)
11357(c)	Possession of Marijuana >28.5	\$970	\$10		\$110	\$1,090	1 yr Sum Prob w/search, test + revocation of CDL if vehicle involved; 1 yr CDL susp w/ immediate surr or delay if under 21(May be Prop 36 eligible)
11364	Possession of Paraphernalia	\$210	\$10		\$110	\$330	1 yr Sum Prob w/search, test +\$190 lab fee + \$570 drug pgm fee + 1 yr CDL susp or delay if under 21 Total due: \$1,090

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Health & Safety continued							
11365	Be where drugs used	\$400	\$10		\$110	\$520	1 yr Sum Prob w/search, test + \$570 drug pgm fee(<i>unless waived per HS 11372.7</i>) + 1 yr CDL susp or delay if under 21. Total due \$1,090
11550(a)	Under Influence -- 1st/2nd offense	\$666	\$10		\$110	\$786	3 yr Sum Prob + 90 day jail min (may complete drug rehab in lieu jail) + register + \$190 lab fee + \$570 drug pgm fee(<i>unless waived per HS 11372.7</i>) + 1 yr CDL susp or delay if under 21 + HIV education & offer HIV test Total due: \$1,546 (May be Prop 36 eligible)
11550(b)	Under Influence -- 3rd/ subsequent offense	\$666	\$10		\$110	\$786	3 yr Sum Prob + 180 day jail min (may complete drug rehab in lieu jail)+ register + \$190 lab fee + \$570 drug pgm fee(<i>unless waived per HS 11372.7</i>) + 1 yr CDL susp or delay if under 21 + HIV education & offer HIV test Total due: \$1,546 (May be Prop 36 eligible)
Penal Code							
148(a)	Resisting Arrest	\$590	\$10		\$110	\$710	1 yr Sum Prob + jail if violent conduct
148.3	False Emergency Report	\$666	\$10		\$110	\$786	1 yr Summary Probation
148.9	False Information	\$514	\$10		\$110	\$634	
166(c)(1)	Willful Violation of Protective Order	\$400	\$10		\$110	\$520	1 yr Sum Prob + 48 hrs jail if victim injured. (<i>Use DV dispo if DV victim</i>)
240	Assault	\$780	\$10		\$110	\$900	1 yr Sum Prob + 10 yr firearm prohibition
242	Battery	\$780	\$10		\$110	\$900	1 yr Sum Prob + 10 yr firearm prohibition (<i>Use DV dispo if DV victim</i>)
243(e)(1)	Battery - Domestic Violence	\$590	\$10		\$110	\$710	\$400 DV fee - 3 yr Sum Prob +52 wk class +10 yr fiream prohibition Set Mon 1:30 Dept 12 for POE Total due: \$1,110
246	Discharging firearm into occupied building/vehicle	\$476	\$10		\$110	\$596	minimum 180 days jail (unless unusual case finding per PC 1203.095) + 3 yr Sum Prob
246.3	Negligent Discharge Gun	\$476	\$10		\$110	\$596	1 yr Sum Prob + forfeit weapon + 10 yr firearm prohibition
272 (a)	Contrib. to Delinq of Minor	\$248	\$10		\$110	\$368	1 yr Sum Prob (if offense involves lewd & lascivious conduct) must register as a sex offender under 290 PC & pay an additional \$100 fine (\$200 if 2nd)

Section	Description	Fine + PA +CSF(\$20)	NTA \$10	REC \$10	1202. 4 PC	Total	Other penalties
	Penal Code continued						
272(b)	Adult (21+) luring minor (12 or younger) from home	\$590	\$10		\$110	\$710	1 yr Summary Probation
273a(a)	Child abuse/endangerment likely to produce GBI	\$1,122	\$10		\$110	\$1,242	minimum 4 yr Sum Prob + 1 yr child abuse counseling + protective order; if def under influence drugs/alcohol, must abstain from use, subject to test (minimum Prob conditions can be waived if record made why it serves interests of justice)
273a(b)	Child Abuse/endangerment NOT likely to produce GBI	\$1,122	\$10		\$110	\$1,242	minimum 4 yr Sum Prob + 1 yr child abuse counseling + protective order; if def under influence drugs/alcohol, must abstain from use, subject to test (minimum Prob conditions can be waived if record made why it serves interests of justice)
273d	Corporal punishment	\$1,122	\$10		\$110	\$1,242	minimum 3 yr Sum Prob + 1 yr child abuse counseling + protective order; if def under influence drugs/alcohol, must abstain from use, subject to test
273.5(a)	Injury on Spouse	\$780	\$10		\$110	\$900	\$400 DV fee + 3 yr Sum Prob + jail time + 52 wk class + 10 yr firearm prohibition - Set 30 days from sent @ 1:30 Dept 12 for POE Total due: \$1,300
273.5(e)	Injury on Spouse w/prior	\$780	\$10		\$110	\$900	\$400 DV fee + 3 yr Sum Prob + time + 52 wk class + 15 days jail min + 10 yr firearm prohibition Set 30 days from sent @ 1:30 Dept 12 for POE Total due: \$1,300
273.6(a)	Violating Protective Order (1st offense)	\$476	\$10		\$110	\$596	\$400 DV fee + 3 yr Sum Prob + time + 52 wk class + min 15 days jail + 10 yr firearm prohibition + Set Mon 1:30 Dept 12 for POE Total due: \$996
273.6(b)	Violating Protective Order resulting in injury	\$476	\$10		\$110	\$596	\$400 DV fee - 3 yr Sum Prob + time + 52 wk class + MANDATORY MINIMUM 30 days jail + 10 yr firearm prohibition + Set Mon 1:30 Dept 12 for POE Total due: \$996

Section	Description	Fine + PA +CSF(\$20)	NTA \$10	REC \$10	1202. 4 PC	Total	Other penalties
	Penal Code continued						
273.6(d)	Violating Protective Order 2d or subs. Offense w/i 7 yrs w/credible threat of violence	\$476	\$10		\$110	\$596	\$400 DV fee - 3 yr Sum Prob + time + 52 wk class + up to one year jail + 10 yr firearm prohibition + Set Mon 1:30 Dept 12 for POE Total due: \$996
308(a)	Sell Tobacco to Minor	\$780	\$10		\$110	\$900	2nd time \$1,920; 3rd time \$3,820
374(b)	Urinate in Public	\$210	\$10		\$110	\$330	
415	Disturbing the Peace	\$210	\$10		\$110	\$330	
417(a)(1)	Brandish Weapon	\$780	\$10		\$110	\$900	1 yr Sum Prob + 30 days jail minimum + forfeit weapon + 10 yr firearm prohibition
417(a)(2)	Brandish Gun	\$780	\$10		\$110	\$900	2 yr Sum Prob + 90 days jail minimum + forfeit weapon per 12028 PC + 10 yr firearm prohibition
476(a)	Bad Checks	\$400	\$10		\$110	\$520	1 yr Sum Prob + restitution
484/490.5	Petty Theft	\$400	\$10		\$110	\$520	1 yr Sum Prob or DA prog
496(a)	Possession Stolen Property	\$780	\$10		\$110	\$900	1 yr Summary Probation
499	Joyriding	\$666	\$10		\$110	\$786	1 yr Sum Prob + 10 days jail
537	Defrauding Innkeeper	\$400	\$10		\$110	\$520	1 yr Sum Prob + restitution
594	Vandalism	\$590	\$10		\$110	\$710	1 yr Sum Prob + restitution
602(l)	Trespass	\$210	\$10		\$110	\$330	
647(a)	Lewd Conduct	\$666	\$10		\$110	\$786	1 yr Sum Prob + HIV education & offer HIV testing
647(b)	Prostitution	\$666	\$10		\$110	\$786	3 yr Sum Prob + 90 days jail suspended + attachment A + HIV test; 2d offense = 45 days jail; 3d offense = 90 days jail. If offense w/i 1,000 ft of residences and in car, can impose 30 day CDL suspension OR 6 mo restriction
647(f)	Drunk in Public	\$210	\$10		\$110	\$330	1 yr CDL susp w/ immediate surr or delay if under 21 + HIV education if drug offense (May be eligible for Prop 36); If 2nd or subsequent add 1 yr Sum Prob w/8 AA meetings
647(h)	Loitering	\$210	\$10		\$110	\$330	1 yr Summary Probation
653(m)	Harassing Phone Calls	\$400	\$10		\$110	\$520	1 yr Sum Prob
653.22	Loitering w/intent	\$666	\$10		\$110	\$786	1 yr Sum Prob + attachment A
853.7	Failure to Appear	\$476	\$10		\$110	\$596	

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Penal Code continued							
12020	Concealed Weapon	\$628	\$10		\$110	\$748	1 yr Sum Prob + forfeit weapon per 12028 PC
12024	Weapon/Assault	\$400	\$10		\$110	\$520	1 yr Sum Prob + forfeit weapon per 12028 PC + 10 yr firearm prohibition
12025	Concealed Gun	\$666	\$10		\$110	\$786	1 yr Sum Prob + forfeit weapon per 12028 PC
12031	Loaded Gun	\$666	\$10		\$110	\$786	1 yr Sum Prob + forfeit weapon per 12028 PC
Vehicle Code							
31	False Information	\$476	\$10	\$10	\$110	\$606	
2800a&b	Refusal to Obey officer	\$400	\$10	\$10	\$110	\$530	
2800.1	Evading a Peace Officer	\$932	\$10	\$10	\$110	\$1,062	1 yr Summary Probation
2813	Truck Inspection	\$172	\$10	\$10	\$110	\$302	
4000(A)	Registration	\$970		\$10		\$980	
	w/proof w/in 30 days	\$210		\$10		\$220	\$980 (suspend \$760 w/proof=\$220)
	mandatory minimum	\$210		\$10		\$220	\$980 (suspend \$760 w/proof=\$220)
	If reg shown to be current when def was cited					\$10 fix fee	
4462(b)	False Registration (Infr.)	\$324		\$10		\$334	
4462.5	False Registration (Misd. w/ intent)	\$628	\$10	\$10	\$110	\$758	
5200	No front plate (Infr.)	\$134		\$10	\$110	\$254	or \$10 w/proof in 30 days
10851	Auto Theft	\$5,720	\$10	\$10	\$110	\$5,850	1 yr Sum Prob + jail
12500(a)	(misdemeanor)	\$476	\$10	\$10	\$110	\$606	
	(infraction)	\$476		\$10		\$486	
	proof w/in 30 days if never licensed/expired > 1 year (misd)	\$286	\$10	\$10	\$110	\$416	Total \$606 (suspend \$190 w/POL=\$416)
	proof w/in 30 days if never licensed/expired > 1 year (inf)	\$286		\$10		\$296	Total \$486 (suspend \$190 w/POL=\$296)
	proof w/in 30 days if expired < 1 year (misd)	\$210	\$10	\$10	\$110	\$340	Total \$606 (suspend \$266 w/POL=\$340)
	proof w/in 30 days if expired < 1 year (inf)	\$210		\$10		\$220	Total \$486 (suspend \$266 w/POL=\$220)
14601.1	Suspended License						
	1st Offense	\$1,160	\$10	\$10	\$110	\$1,290	\$1290 (suspend \$950 w/POL=\$340) w/in 60 days - 1 yr Sum Prob
	2nd Offense	\$1,920	\$10	\$10	\$110	\$2,050	2 yr Sum Prob + 5 days jail
	3rd Offense	\$1,920	\$10	\$10	\$110	\$2,050	3 yr Sum Prob+ 10 days jail
	4th Offense	\$1,920	\$10	\$10	\$110	\$2,050	3 yr Sum Prob+ 15 days jail
	5th Offense	\$1,920	\$10	\$10	\$110	\$2,050	3 yr Sum Prob+ 20 days jail
	6th-8th Offense	\$1,920	\$10	\$10	\$110	\$2,050	3 yr Sum Prob+ 30 days jail

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	Vehicle Code continued						
	9th-10th Offense	\$1,920	\$10	\$10	\$110	\$2,050	3 yr Sum Prob+ 60 days jail
14601.2	DUI Revocation	\$1,920					
	1st Offense	\$1,920	\$10	\$10	\$110	\$2,050	1 yr Sum Prob + 10 days jail + interlock device
	2nd Offense	\$1,920	\$10	\$10	\$110	\$2,050	2 yr Sum Prob + 30 days jail
	3rd-4th Offense	\$1,920	\$10	\$10	\$110	\$2,050	3 yr Sum Prob + 30 days jail + interlock device
	5th-8th Offense	\$1,920	\$10	\$10	\$110	\$2,050	3 yr Sum Prob + 60 days jail + interlock device
	9th-10th Offense	\$1,920	\$10	\$10	\$110	\$2,050	3 yr Sum Prob + 90 days jail + interlock device
14601.3(a)	Habitual Traffic Offender	\$3,820	\$10	\$10	\$110	\$3,950	3 yr Sum Prob + 30 days jail + 1 yr license revocation
14601(a)	Negligent Operator (pts)						Same dispo as 14601.5
14601.5	Admin per se						
	1st Offense	\$1,160	\$10	\$10	\$110	\$1,290	1 yr Sum Prob + 5 days jail
	2nd Offense	\$1,920	\$10	\$10	\$110	\$2,050	2 yr Sum Prob+ 10 days jail
	3rd-4th Offense	\$1,920	\$10	\$10	\$110	\$2,050	3 yr Sum Prob+ 20 days jail
	5th-8th Offense	\$1,920	\$10	\$10	\$110	\$2,050	3 yr Sum Prob+ 40 days jail
	9th-10th Offense	\$1,920	\$10	\$10	\$110	\$2,050	3 yr Sum Prob+ 70 days jail
16028(a)	Insurance	\$780		\$10		\$790	
	w/proof w/in 30 days (mandatory minimum)	\$400		\$10		\$410	
	w/proof w/in 30 days that insurance was valid when def. cited					\$10 fix it	
	2nd or more conv w/in 3 years (mand minimum)	\$780		\$10		\$790	
20001(a)	Hit/Run w/Injury	\$3,820	\$10	\$10	\$110	\$3,950	1 yr Sum Prob + jail + restitution
20002(a)	Hit/Run w/ P/D	\$1,388	\$10	\$10	\$110	\$1,518	1 yr Sum Prob + restitution
21200.5	DUI on Bicycle	\$704	\$10		\$110	\$824	
22350, 22349(a) 22349(b) 22356(b)	Speeding						Traffic school ok if 25 MPH or less over the limit >= 18 mos from last violation date to new violation date. Pay fine + \$39 TS fee in Dept. 10. Def. has 30 days to pay fine if def. chooses TS -- no installments.
	1 - 15 mph over	\$134		\$10		\$144	
	16 - 25 mph over	\$248		\$10		\$258	
	26 + mph over	\$400		\$10		\$410	
22348(b)	Speeding over 100 mph						

Section	Description	Fine + PA +CSF(\$20)	NTA \$10	REC \$10	1202. 4 PC	Total	Other penalties
	100 - 105 mph	\$552		\$10		\$562	30 day license suspension
Vehicle Code continued							
	106 - 110 mph	\$1,160		\$10		\$1,170	30 day license suspension
	110 + mph	\$1,920		\$10		\$1,930	30 day license suspension
22406	Speeding - Commercial Vehicle						
	1 - 9 mph over	\$248		\$10		\$258	
	10 + mph over	\$476		\$10		\$486	
23103	Reckless	\$1,046	\$10	\$10	\$110	\$1,176	1 yr Sum Prob + 30 day CDL suspension
23103.5	Wet Reckless	\$1,502	\$10	\$10	\$110	\$1,632	1 yr Sum Prob + 12 hr AEC + 1 yr CDL susp w/immediate surr if under 21.
23109(a)	Speed Contest	\$1,654	\$10	\$10	\$110	\$1,784	6 mo license suspension (DMV = 2 points) mandatory 40 hrs comm service
	mandatory minimum	\$1,380	\$10	\$10	\$110	\$1,510	OR 24 hrs jail minimum
23109(a)	Speed Contest-- 2nd/ subsequent offense w/in 5 yrs	\$1,920	\$10	\$10	\$110	\$2,050	1 yr Sum Prob + min 4 days jail + 6 mo license suspension
23109(c)	Exhibition of speed	\$476	\$10	\$10	\$110	\$606	(FYI = 2 DMV points)
23140	with a BAC of .05 or	\$400		\$10		\$410	AEC + 12 mo CDL suspension
23152(a) 23152(b)	DUI - 1st Offense (incl \$50 AEC)	\$2,730	\$10	\$10	\$110	\$2,860	3 yr Sum Prob + 48 hrs jail + AEC (B.A .08 to .14 - 3 mo; BA .15 or higher - 6 mo)*Viol date before 9/20/05 restrict CDL 6 mos
23152(a) 23152(b)	DUI - 2nd Offense	\$2,730	\$10	\$10	\$110	\$2,860	4 yr Sum Prob + 10 days jail + SB38 program + interlock device**Viol date before 9/20/05 restrict CDL 18 mos
23152(a) 23152(b)	DUI - 3rd Offense	\$2,730	\$10	\$10	\$110	\$2,860	5 yr Sum Prob + 120 days jail + 4 yr CDL revocation + interlock device
23152(a) 23152(b)	DUI - 4th Offense	\$2,730	\$10	\$10	\$110	\$2,860	5 yr Sum Prob + 180 days jail + 4 yr CDL revocation + interlock device
23225	Open Container	\$362	\$10		\$110	\$482	
23247(e)	Driving w/o interlock device	\$3,820	\$10	\$10	\$110	\$3,950	or max 6 mos jail; notify DMV
23577	Refusal						
	1st Offense						add 48 hours jail
	2nd Offense						add 96 hours jail
	3rd Offense						add 10 days jail
23578	High BA (.20)						
	1st Offense						add 4 days jail
	2nd Offense						add 5 days jail
	3rd Offense						add 10 days jail
27315(d)	Seatbelt (mandatory minimum) (Infr.)	\$96		\$10		\$106	

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27360	Child Safety Seat (mandatory minimum) (Infr.)	\$400		\$10		\$410	mandatory class (sign up in Dept. 10) cost for class \$39
27803	Motorcyle Helmet	\$134		\$10		\$144	
34506(a)	Driver's hours of service (Misd.)	\$2,300	\$10	\$10	\$110	\$2,430	
34506.3	Log Book Violation (Inf)	\$704		\$10		\$714	
40508(a)	Failure to appear (misd)	\$476	\$10		\$110	\$596	
40508(a)	Failure to appear (inf)	\$476				\$476	
Any VC point prior						\$38 per conviction	
Fish and Game							
7145(a)	No fishing license	\$970				\$970	
	w/proof w/in 30 days	\$210				\$210	Total \$970 (suspend \$760 w/POL=\$210) If proof obtained after 30 days, suspend \$760 only w/proof of lifetime license.
	license valid - not displayed	\$58				\$58	
2001	Unlawful possession after season	\$400	\$10		\$110	\$520	
Dog Citations							
	Misdemeanor violation	\$134	\$10		\$110	\$254	
	w/proof	\$58	\$10		\$110	\$178	
	Infraction violation	\$134				\$134	
	w/proof	\$58				\$58	
	Miscellaneous						
	Misd w/o standard	\$210	\$10		\$110	\$330	